

SN. 10/730,954

REMARKS

Rejection of the claims under 35 USC 112, Second Paragraph

The remaining claims: 1, 3-6, 8, 10-13, and new claims 22-26 have been amended to provide appropriate antecedent basis for all terminology. It is noted that in some instances where antecedent terms are long and cumbersome, the terms referring to the antecedent terms have been shortened. However, in all instances, the claims are clear, and there is no longer confusion as to the antecedents in the claims.

In this connection, it is submitted that Applicant should be permitted some leeway in the shortening of the terms referring to or based upon antecedents in order to make claims readable and to avoid ponderous and cumbersome claims which are hard to follow. It is submitted that such shortening should be permitted as long as the references to and distinction between antecedents remains clear. It is submitted that this is the case with the present claims.

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Rejection of claims under 35 USC 101

Program product claims are rewritten to better conform with Requirements of 35 USC 101

In order to expedite the present prosecution, program product claims 15-21 have been cancelled, and rewritten as new claims 22-26 which clearly define the contribution of the computer program. The new claims 22-26 describe the computer program product as a computer readable medium having a computer readable program stored thereon which computer program, when executed, performs the described functions.

Support for this structure is found in the specification. Support for this definition of the subject matter may be found in the present specification from page 6, line 33 through page 7, line 5 with respect to Fig. 2 wherein Application Programs 40, including the application program of the present invention, are stored in the RAM 14 storage medium of the host Web site server during operations. The RAM storage medium is a computer usable medium on which the computer program is stored.

Accordingly, it is submitted that new claims 22-26 are directed to statutory subject matter under 35 USC 101.

Rejection of Claims 1, and 3-6 under 35 USC 101

Applicants submit that these claims define a tangible hardware system for transmitting packets of data from a transmitting station to an addressed receiving station through a sequence of routers, as shown in Fig. 1. This is

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a tangible hardware network structure such as the World Wide Web. I believe that Examiner made a point that both the hardware or system claims 1, and 3-6 and the original program product claims 15-21 had similar means plus function elements. Therefore claims 1, and 3-6 could be interpreted as reading on programs per se which rendered the claims non-statutory.

In order to clarify the difference, program claims 15-21 have been cancelled, and new claims 22-26 substituted therefor. New claims 22-26, as described above, do not have any means plus function language.

Accordingly, it is submitted that claims 1, and 3-6 are directed to statutory subject matter under 35 USC 101.

Claims 1, 3-6, 8, 10-13, as amended and new claims 22-26 are submitted to be Not Anticipated, and thus Patentable under 35 USC 102(e) over Eklund (US7,058,728)

In order to anticipate under 35 USC 102, the reference must disclose every element of the claimed invention without modification. The Eklund patent fails to do this.

The present invention relates to the expediting of the transmission of data packets in a network from a sending station to a receiving station. Each packet has a conventional payload section of content data and a plurality of headers, only one header of which has the address of the receiving station. The invention requires that the headers in a packet other than the header with the receiving station address have a single code item substituted for all of the other headers. Then, the destination router is determined

i.e the last router to the receiving station. Then, conversion means are provided to this destination or last router so that the code item may be converted back to the plurality of other headers in the packet prior to arrival at the receiving station.

The cited Eklund patent does teach changing the destination address of a transmitted packet address so that the destination address will be the address of the router which serves as the interface to the receiving station. However, for the remaining elements of the invention, Examiner has not pointed out, element for element where Eklund specifically discloses such elements. Instead, Examiner has cited about a column of patent text for each of the elements. The Examiner's citations appear to be proposing, for example, Eklund does disclose compression of data in the packets being transmitted so the other headers must of necessity be contracted to code item elements which are likely to be then converted at the destination router for the receiving station. However, Applicant fails to find a specific disclosure in the cited sections of Eklund of a specific element which is equivalent to the claimed "code item to represent said plurality of other headers in one of said packets...". Applicant submits that not all of the alleged elements in Eklund which are equivalent to all of the Applicant's elements have been pointed to with the specificity required to establish a rejection under 35 USC 102.

However, in order to advance the prosecution of this Application, the claims have been amended so that the

AUS920030609US1

elements of dependent now cancelled claims 2, 7, 9, 14, and 16 have been incorporated into their respective independent claims 1, 6, 8, 13, and 22.

All of these independent claims now include the implementation of determining whether the destination router has a conversion process for converting the code item back into the plurality of headers represented by said code items, and if the destination router does not have the conversion process, providing the conversion process to the destination router for converting said code item back into the plurality of headers represented by said code items. Applicants submit that there appears to be no teaching in Eklund of these additional elements.

Accordingly, Applicants submit that Eklund does not disclose every element of the claimed invention without modification. Thus, Eklund is not an anticipatory reference under 35 USC 102.

Conclusion

In view of the foregoing, claims 1, 3-6, 8, 10-13, as amended and new claims 22-26 are submitted to be in condition for allowance, and such allowance is respectfully requested.

SN. 10/730,954

Interview Request

The undersigned has been in contact with Examiner in order to set up an Interview. In such an Interview, Applicant wishes to use this Amendment as an Agenda for the interview in order to resolve this prosecution, and determine patentable subject matter.

Respectfully submitted,

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